

From Cultural Popularity to the Paradox of Relevance: A Critical Discourse on the Endangered Status of Citizenship Theory

Idowu William

Department of Philosophy

Obafemi Awolowo University, Nigeria

idwilly2007@gmail.com

Thought and Practice: A Journal of the Philosophical Association of Kenya (PAK)

New Series, Vol.3 No.1, June 2011, pp.145-164

thoughtandpractice@gmail.com

<http://ajol.info/index.php/tp/index>

Abstract

The purpose of this paper is to critically examine the endangered status of the concept of citizenship. The methodology employed consists of textual analysis and philosophical argumentation. The main findings of the paper are:

- (1) The boundary of the meaning of citizenship keeps changing.
- (2) Citizenship constitutes one of the most worrisome sources of conflict in modern states.
- (3) There is no objectively correct interpretation of citizenship, both in its historical and contemporary understanding.

The conclusion drawn from the findings is that various factors, especially the multicultural character of most contemporary societies, are impinging on the possibility of developing a theory of citizenship that is universally applicable and globally acceptable.

Key Words. Citizenship, citizenship theory, equality, multiculturalism, globalization

Introduction

The history of modern philosophical ideas owes a lot to Rene Descartes' declaration that true knowledge must entail certainty, clarity and indubitability. It is to this end that Descartes formulated rules of reasoning, with the first stating that we should never accept anything as true which is not known to be such; that is to say, carefully to avoid precipitancy and prejudice, and to comprise nothing more in our judgment than what was presented to our mind so clearly as to exclude all ground of doubt (Descartes 2008, 21). Epistemologically, any claim that is open to doubt stands the risk of being excluded from knowledge regardless of its cultural popularity. This is contrary to the view of Jean-Francois Lyotard (1984) that we live in the post-modern age where relativity, plurality and difference constitute the acme test of truth. This notwithstanding, modernism believes that any idea which generates doubt should be discarded and should, in the language of Harold Laski (1979), be thrown into the dustbin. It follows, at least to a point, that to be theoretically true is to be practically compliant. But in what sense can the Cartesian approach be adopted in relation to citizenship?

There is some skepticism over what exactly modern ideas about citizenship are. According to Engin Isin (2002, 1), within the context of the modern project alone, two major traditions seem to assert their dominance, namely, orientalism and synoecism. The controversies raised by these two traditions have created many other positions, such that the boundary of citizenship keeps shifting. Recent radical examples are captured in postmodern, libertarian and communitarian conceptions of citizenship, with the feminist critique of traditional and modern conceptions of citizenship constituting an appreciable percentage of contemporary literature on the issue. What is more, from a woman-centered perspective, feminist thought on citizenship is not monolithic: there are liberals, Marxists, postmodernists, radicals etc.

The deluge of controversies over citizenship compels me to argue that citizenship is an endangered concept. To accomplish this, I have divided the paper into two main sections: the first is devoted to a brief analysis of the meaning and cultural significance of the concept of citizenship; the second examines reasons why citizenship appears endangered, adducing four grounds for this conclusion - arguments from meaning, the state, multiculturalism and equality.

Citizenship: between Popularity and Paradox

We live at a time when talk about citizenship is rife, and when demands for citizenship rights are strategically influential in relation to policy formulation. In fact, scholars interested in democratization, especially in Africa, Latin America and Asia, are particularly armed with rhetoric to the effect that citizenship is a *sine qua non* of democracy. Furthermore, the perceived connection between citizenship and education has added to the popularity of the concept of citizenship, with literacy rights being said to embody citizenship rights. Indeed, citizenship has been one of the most popular concepts in socio-political philosophy over the last sixty years or so. In his celebrated work, *Citizenship and Social Class*, Marshall (1950) provided a restricted categorization of the elements of citizenship into civil, political and social rights. However, Environmentalists contend that environmental rights are not only important for development and justice, but are third generation entitlements with substantial impact on the survival of the entire universe.

Galston (1991) proclaimed that liberal democracy is founded on citizenship. What is more, Putnam (1993) postulated citizenship as the 'social capital' on which developing democracy rests. For Fraser and Gordon (1994), citizenship speaks of respect, rights and dignity. According to Kymlicka and Norman (2000, 30-31), four main ideas explain the nature of citizenship: status as a legal person, a sense of identity, a sense of civic virtue and activity, and a sense of cohesion. Furthermore, Kymlicka and Norman (2000) contended that there is need to develop a theory of citizenship which accommodates diverse cultural groups. However, as we shall show presently, their arguments do not seem to take care of the debilitating effects of diversity on citizenship.

The challenge to citizenship theorists is how to ensure the existence of what William Galston (1991) calls responsible citizenship, or what Stephen Macedo (1990) refers to as the virtue of public reasonableness. Yet even over these issues scholars are divided: one camp prefers a vote-centric conception of citizenship (Mansbridge 2000), while the other advocates for a voice-centric approach (Chambers 1998). These conflicting opinions, as illuminating as they appear, tend to stifle the possibility of creating a synthesized view of what citizenship theory should be. Thus While many of the ideas associated with citizenship are laudable, they do not remove the semantic and logical confusion created over the theory of citizenship. In effect, the epistemological usefulness of the concept of citizenship is put to doubt on account of the

many confusing perspectives on its meaning. Below we examine three major challenges to a coherent and universally applicable theory of citizenship.

Citizenship and Conceptual Difficulties

The word ‘citizenship’, just like the word ‘law’, seems to have a set of theoretical meanings different from its meanings in the practical sense. It follows that the same word has two or more meanings, without any sense of coherence among them: the realm of theory is held to be different from the realm of practice, just as much as the purview of the normative does not exactly coincide with that of the descriptive. In other words, citizenship is said to connote a status that is normative as well as descriptive. Yet it is difficult to see how the same concept can be normative and non-normative, prescriptive and descriptive at the same time. More importantly, it is in the world of theoretical analysis and conceptual characterization that the concept seems to derive its lingering uncertainties and unending confusions. The fundamental problem with the characterization of citizenship consists in finding the appropriate theoretical clue that coincides with practice.

The first conceptual problem presented by citizenship is that its meaning is contestable. This explains the several meanings of citizenship. In my opinion, it is this multiplicity of meanings which makes citizenship endangered. Citizenship does not have a universally acceptable definition. One reason for this is that its meaning is parasitic in nature. We cannot define what citizenship means without making use of some other concept. For example, Marshall (1950) defines citizenship using the concept of right; but right is different from citizenship. As the parasitic concept that it is, citizenship relies on other notions. It alludes to certain other concepts as useful clues in its definition despite the fact that those other concepts are themselves very problematic. Notions such as democracy, participation, equality, liberty, freedom and rights are some of the concepts that are alluded to in defining citizenship. Consequently, one is compelled to believe that the idea of citizenship conjures a false picture of reality, or that it does not exist at all.

The second conceptual problem is that the notion of citizenship is recursive in nature. W.B. Gallie (1968) wrote that citizenship is an essentially contested concept, with its meanings having always emerged in disputed and recursive use. Some of the recursive concepts attached to citizenship are community, membership, participation and rights. For example, what is the meaning of membership, or community or political participation? Does it mean citizenship cannot be defined outside these concepts? This is why Rose (1999) asserted that

citizenship has a recursive character since it relies on difficult concepts to establish its epistemological and empirical significance. According to Rose (1999, 177), this is a kind of a birth-to-presence of a form of being which pre-exists the conditions of its re-inventions. This is what necessitated the warning of White and Donoghue (2002, 2) that as long as the meaning of citizenship is entrapped in a form of dependence on words and terms such as ‘membership’, ‘participation’ and ‘community’, what it means must remain uncertain, doubtful, and an impossible concept, theoretically.

Another challenge has to do with the problem of cultural diversity and the varied experiences of different political societies on what citizenship means. For example, Pieter Boele van Hensbroek (2007) stated that citizenship cannot be given the same meaning in societies with different state histories and struggles about power, different issues of hierarchy etc. In other words, the meaning of citizenship is influenced by the cultural ethos in question. Each society constructs the language and logic of citizenship in line with its own history and experiences. How possible, then, is it to build a common theory of citizenship in the face of dissimilar experiential and cultural logic? There would not be a universal theoretical paradigm to support such a venture.¹ This is why Peter Ekeh (1975) reasoned that to claim a kind of symmetry on the nature of citizenship in different states and societies would be to be guilty of academic suicide and cultural amnesia. In his words, “the political problems of the age as well as the historical context of politics determine to a large extent the aspects and issues of citizenship that are sorted out for emphasis in a given society.”

T.H. Marshall, regarded as one of the ablest exponents of the theory of citizenship, actually anticipated the likely difficulties of insisting on the search for a universal theory. In his words, “citizenship is a status bestowed on those who are full members of a community. All who possess the status are equal with respect to the rights and duties with which the status is endowed. There is no universal principle that determines what those rights and duties shall be ...” (Marshall 1950, 20-29). Marshall not only vacillated, but also resorted to the use of recursive concepts such as equality, membership and community to define citizenship. Is citizenship primarily a concern with status or an obsession with rights? Which one is

¹ This, according to Solomon and Higgins (1996, 191-192), explains the heart of the major problem that inundated the dream of a common and universal citizenship that the Enlightenment thinkers entertained during the late sixteenth and early seventeenth centuries.

ontologically and epistemologically prior - full membership in a society before being a citizen, or being a citizen which creates the privilege of full membership? The implications are far reaching, and are likely to cause conceptual convulsion in relation to theory making.

Yet another dimension of the difficulty ingrained in citizenship is what I have called the disparity between a type of exaggeration of what citizenship historically means, and the contemporary reality that essentially contradicts the exaggeration encoded in that historicity. Etymologically, I suppose, the concept of citizenship has its origins among the ancient Greek thinkers and, later on, among the Roman jurists. However, to assiduously fasten our conception of citizenship to that historical beginning is to undermine the in-built dynamism that the concept itself seems to have. It is to uphold a very static apparatus in the assessment of a concept, and a philosophical concept for that matter. As Turner (1990, 202) has noted, it would be wrong to imagine that the notion of citizenship actually remains static down through history.

Each age develops problems that are peculiar to it, and manages them from a perspective that is consistent with the mentality and logic of that age. It is the idealism that is encoded in an exaggerated historicity, an idealism that is seeking for ways by which its usefulness for this age can be transferred, that is primarily responsible for the problem of conceptualization in which citizenship is muddled today, and which is affecting the conceptual possibilities available for the understanding of citizenship presently. Will Kymlicka appears to have a lucid understanding of this problem:

... most western political theorists have operated with an idealized model of the *polis* in which fellow citizens share a common descent, language, and culture. Even when the theorists themselves lived in polyglot empires that governed numerous ethnic and linguistic groups, they have often written as if the culturally homogenous city-states of Ancient Greece provided the essential or standard model of a political community (Kymlicka 1995, 2).

Even the evolution of the term 'citizen' created and still creates a sense of difficulty concerning the meaning of citizenship. Who is a citizen, and over what and where is her status important? We must admit that the root of the word has a strictly western origin, but that is not the problem. Besides, in terms of language, many different words have been used to designate the true and tested etymology of the term 'citizen'. This is why if one probes Kymlicka's observation, one is bound to disagree with his assertion that the standard problem of many political theorists over the idea of citizenship is the propensity to idealize the ancient

Greek understanding of political community as reiterated in classical Greek thought. The real problem is that of neglecting the complex and ambiguous but interesting semantic, linguistic and cultural history of the term 'citizen' even within the context of western tradition.

The term 'citizen' as adopted in the English lexicon has medieval roots, and its original meaning is grounded in the idea of the City. According to Downing (1988, 9), the inhabitants of a city were regarded as citizens, while those outside were regarded as subjects. In the same vein, J.J. Rousseau (1973, 175) argued that houses make a town, but citizens make a city. If this analysis is correct, it means that the way citizenship is currently used is actually misleading. Thus there is need for a change of name from citizenship. The *zen* may be retained in the new term, but the *citi* would have to be jettisoned. Consequently, these conceptual difficulties indicate that citizenship is, indeed, an endangered concept. The celebrated view of Turner (1990, 203) that the concept of *city*, deriving from this etymology, is extensive and continuous does not seem to bear strong resemblance with history, nor does it conform to the internal logic of the term.

Citizenship and the State

The argument from the state constitutes the second reason for contending that citizenship is endangered. The common headline in seasoned analyses of citizenship revolves around the state: this is the statist tradition of citizenship. However, this tradition has not been careful enough to understand that the entity called the state is a mere abstraction, which means that the idea of citizenship itself is a mere abstraction, and as such, without an empirical instantiation. Unless and except the physicality and empirical nature of the state is proven, there is no way by which the idea of citizenship can be rescued from the abyss of redundancy with which the abstract nature of the state has confined it. Besides, unless and until a more general theory of citizenship is developed such that it is no longer tied to the apron strings of the state, we cannot have a genuine concept of citizenship.

What the state generally refers to has been a subject of controversy, keeping the concept of the state itself entrapped. It is therefore not surprising that Dyson (1980) notes that the state is a contested concept and, therefore, involves problems of meaning and application. Andrew Vincent's (1987) compendious treatment of the theories of the state, though a thorough analysis of the concept of the state, is only historical rather than conceptual. This is because it fails to synthesize the normative character of the state. It is in connection with this intellectual puzzle concerning the state-concept that Bosanquet posited:

In a certain sense it would be true to say that wherever men have lived there has always been a "State." That is to say, there has been some association or corporation, larger than the family, and acknowledging no power superior to itself. But it is obvious that the experience of a State in this general sense of the word is not coextensive with true political experience, and that something much more definite than this is necessary to awaken curiosity as to the nature and value of the community in which man finds himself to be a member (Bosanquet 2001, 19).

It is the absence of such complementariness between our abstract theory and political experiences that has generated skeptical conclusions on the state. This is why some scholars contend that, perhaps, what is necessary to prove the validity of an existent entity that could, in the general sense, be called a state is the change of terminology, referentially, in place of the state-concept. An example is Cole (1920, 86), who suggested that it is better to replace the state-concept with that of a government-concept. Laski (1919, 30), also contended that "state action is, in actual fact, action by the government."

As a matter of fact, some scholars are confident of the fact that what we naturally consider to be the state is a non-existent entity. In Berki's language, what we call the state is a rather baffling phenomenon (Berki 1989, 12). On his part, Michel Foucault considers the state to be a mythicised abstraction: "... the state, no more probably than at any other time in its history, does not have this unity, this individuality, this rigorous functionality, nor to speak frankly, this importance: may be after all the state is no more than a composite reality and a mythicised abstraction, whose importance is a lot more limited than many of us think" (Foucault 1991, 103).

The worrisome aspect of this assessment of the state-centric tradition is not just because it is abstract: some abstract entities still evoke a sense of utility and importance in empirical terms.² What is worrisome is Foucault's sentencing of the state to the abyss of mysticism and mythicism. This is perhaps a more incommensurable charge, and it means that we should not

² For example, numbers are abstract but the Pythagoreans consider numbers as the principle of the order and nature of the universe. Even mathematics and science will turn out to be a gravely impossible academic engagement without numbers. The meaning is that numbers, though abstract, are actually of scientific importance disregarding their abstract nature.

expect any epistemological comfort in an attempt at analyzing, in concrete, empirical terms, the science of the state.

Despite this skeptical attitude concerning the state, the importance of citizenship is still attached to the state. Just what the state is to citizenship, from this skeptical perspective, explains the heart of the confusion over the controversial conceptualization of citizenship. This also lends credence to the claim that, despite its popularity in our age, citizenship is an endangered concept. If the state is denied existence, how then can we make sense of a concept that is etymologically and pragmatically attached to it? This nexus between state and citizenship considerably informs the position that citizenship is becoming an endangered concept.

Citizenship and Multiculturalism

My third argument for the endangered status of citizenship rests on the idea of multiculturalism. According to Femi Taiwo (1996, 16), “part of what typifies citizenship especially in the modern state is the de-emphasizing of geography and other natural facts in its composition.” It follows that the very presence of natural facts indicates the threatened nature of citizenship in the world today. The nature of my worry can be insightfully gleaned from Kymlicka’s observation about the connection between citizenship and multiculturalism: “In very few countries,” says Kymlicka (1995, 1), “can the citizens be said to share the same language, or belong to the same ethnonational group”. This explains the depth of the malaise with which the concept of citizenship in multicultural societies is confronted.

There are many issues to note from what Kymlicka opined as stated above. *First*, it is apparent that the equality that citizenship promises is bound to be defective, problematic or may not even exist at all. This is due to the fact that each of the ethno national and linguistic groups in a polity may have very dissimilar perceptions and conceptions of politics. As a result, conceptions of principles of equality and liberty and other such revered political principles with strong philosophical implications would not be seen to have the same meanings. Such relativism often constitutes the basis of inter-cultural antagonism.

Second, the conception of citizenship that will be prominent in countries where the citizens do not share ethnicity, language and culture will be curious and unsound in nature. In other words, such a conception will be contrary to the very nature of what the ancient greeks understood the idea of citizenship to be. We are not contending that disagreements are absent

in culturally homogenous societies, but that the obvious differences that are found in heterogeneous societies render the idea of citizenship endangered. There is, however, two dimensions to this: the national and the global.

In the first instance, the nation-state conception of citizenship is, in the world today, threatened by ethnic, religious, cultural and linguistic pluralism. It is important that the problem is stated very clearly: democratic survival in most countries of the world today is experiencing huge challenges arising from the plural nature of contemporary societies. Yet plurality is actually not the problem, but rather the attitudes that are expressed concerning various identities. What is worrisome is the politicization of our identities and differences. This is true both of democracy and of citizenship, as the two concepts have a crucial relationship.

One aspect of contemporary multi-cultural states that challenges the concept of citizenship pertains to the question of minorities. Writing on the experiences of most Asian countries, Weiner noted:

In country after country, a single ethnic group has taken over the control over the state and used its powers to exercise control over others. In retrospect there has been far less “nation-building” than many analysts had expected or hoped, for the process of state-building has rendered many ethnic groups devoid of power and influence (Weiner 1987, 23).

Thus based on Weiner’s analysis, as much as democracy is threatened, citizenship is equally threatened. Conversely, the threats to citizenship are exactly the same as those to democratic survival.

The global dimension is occasioned by forces such as globalization and global migration, that inhibit the development of a precise conceptualization of citizenship. One negative effect of migration on citizenship is that it (migration) leads to the development of new conceptions of national citizenship. This creates false impressions about a possible notion of global citizenship. The implications are manifest:

- (1) There is enough room for the unfiltered advancement of the capitalists’ ideology in favour of some countries to the discomfiture of others.
- (2) The tendency to maintain the servant-master relationship in the global hegemonic network.

Furthermore, the study by Rainer Baubock *et. Al.* (2006) is a very systematic and painstaking underscoring of the connection between citizenship and migration. In the well crafted introduction, Baubock provides a very disturbing insight into some of the conflicting perceptions that arise on account of the migration-citizenship nexus, some of which are the conflict between policies that support migrants on account of the desire for assimilation and the unmitigated demand for naturalization benefits on the part of migrants, with an emphasis on rights which is not accompanied by duties. Another is conflicting loyalties on the part of migrants to their host nations on the one hand, and to their countries of origin on the other.

Citizenship and the Paradox of Equality

Central to the concept of citizenship is the idea that it legitimizes a value system whose major goal is equality. This occurs both at the level of abstraction and in societies where it is ingrained as a running culture. However, this seems to point to a dilemma: if citizenship is intended to address inequality in the world, then there is currently no equality in the world; if there is equality in the world, then citizenship is not needed after all. Yet the fact is that the idea of citizenship arose in response to the disturbing reality of inequality in the world. In Third World countries, people often look to citizenship to institutionalize equality. Yet equality is far from being realized. Indeed, there are not only gross injustices in the world, but also gaping inequalities that translate into inequities. Thus the equality which is believed to be achievable through the system of citizenship is no where to be found. This absence not only creates unending conflicts, but it is also a compelling ground for our view that citizenship is an endangered concept. Nevertheless, the paradox of the modern age is that the very concept which promises equality in almost every political community is not only a very popular one, but also one through which systems of democracy are judged.

Historically, the first radical move towards equality was expressed in the demands of the French Revolution for liberty, equality and fraternity. Apart from being a contested concept, citizenship has actually been a very difficult normative aspiration to achieve in the modern world. A more forceful and invigorating instance of the agitation for equality is the present saga staged by the women's movement. Interestingly, the feminist movement also owes a vital part of its history to the demands of the French Revolution. Reconstructing sexual equality is the reigning concept that feminists all over the world are known for. Even though opinions are divided in the feminist camp as to whether equality or justice should be the main pre-occupation of the women's movement, it is a fact that equality is a prominent agenda.

Also prominent is the emerging body of literature called post-colonial studies, which challenges the relics of colonialism that place the various races in a hierarchy, thereby undermining equality of human nature.

The difficulty of equality in relation to citizenship can be demonstrated in several ways. In the first place, the definition of equality in socio-political discourses is evidently controversial. Some, like Rees (1971) say equality is a pointer to justice; others, like Tawney (1952) say equality is the satisfaction of the sentiments of justice, a protest ideal *par excellence* (Sartori 1987, 337); while some like Ramaswamy (2003) opine that fairness is the index to equality. In his estimation, Gauba (2003, 331) equality is the complement to liberty. The list of conceptualizations of equality is endless. Secondly, facts in the universe show that nothing in it enjoys any semblance of equality. Appadorai (1968, 86) stated that inequality, not equality, is the most striking fact about human life. According to Tawney (1952, 47), the pursuit of equality is difficult because it is like swimming against the current. Thirdly, the concept is also difficult to put into practice because what constitutes the conditions for equality in some societies are the very conditions that explain inequality in others. Fourthly, just like the word citizenship, equality is also a recursive concept owing to the fact that its apt conceptualization depends on some other related terms such as justice, liberty, rights and freedom.

While the pursuit of equality is a desirable one, history tends to show that the state of absolute equality is unachievable as long as human nature remains what it is. The strive toward equality has been there since the beginning of human existence, but equality seems doomed to remain elusive and encoded in forlornness. It is in this sense that Barry (1995, 187) sees equality as a prescriptive term rather than a descriptive one, suggesting that equality is not a feature of the universe at all. Equality, as a prescriptive term, only aims at protecting the possibility of a revolt against what is said to be interred as part of the universe.

Dimensions of Equality: Implications on the Concept of Citizenship

In what do philosophers see equality, and what illumination does that treatment provide on citizenship? Some assumptions are needed here. One is the correct assumption that the equality that philosophers often talk about is meaningfully associated with the existence of a political society. Outside a political society, people cannot be regarded as equal in anyway. It

follows that the principle of equality is fundamentally attached to a political society.³ For instance, Thomas Hobbes (1991) argued that men in the state of nature are not equal, and that it is only the creation of a political society that justifies the adoption of the principle of equality of all men. The second assumption is that within any political context, there must exist a contractual agreement outlining the basic tenets of equality.

While the celebrated social contract is not a foul doctrine in the history of political thought, most contemporary political analysts prefer to enlist the modern idea of constitutions as a ground for the guarantee of the basic equality of all citizens. The existence of a constitution thus serves as an equalizing instrument, establishing the equality of the natural ability and the moral capacity to achieve preferred ends. It is supposed that this imbued ethical rationality sufficiently arms every person with mental and moral capacity to engage in what Locke calls reflective conscious decisions. According to MacCunn (1894, 4), this is what most religious people mean by the dictum that God created all men equally.

The equality-inequality controversy, especially in its political context, is related to three main ideas: civil or legal equality, political equality and socio-economic equality. Let us briefly examine these three.

Civil/Legal Equality

The first is that every citizen is equal before the law, that is, all citizens are equals when it comes to obeying the law and in being judged by the law. This principle of legal equality is what Barker (1961) labeled as the state's provision of equal masks in the definition of our personalities. Essentially, this view connotes the absence of discrimination in the application of the cutting edge of the law. What applies to A in connection with the law applies equally to B, especially where there is adjudicative similarity between both. In the words of Gauba

³ A political society, according to John Austin, is one where there is a recognized sovereign and where members of that society pay habitual obedience to the sovereign so recognized. While this conception is eternally controversial, it, nevertheless, points attention to the fact that a truly political society is different from the Hobbesian state of nature. Thus, in spite of the weakness in the Austinian model, sovereignty both political and geographical defines a political society such that the principle of equality that is said to exist in a political society is attached to a situation where there is a sovereign or body of sovereign to enforce the principle so encoded.

(2003, 340), it means equal subjection of all citizens to the law and equal protection of the law for all citizens.

However, there is a serious rebuttal to this view: the view suggests that under normal circumstances there is no preferential treatment among the members of a polity, but it is clear that this does not hold in practice. The question always is: whose law makes all citizens equal? What is the extent of citizens' participation in the making of laws that govern them? The truth is that if all citizens participate effectively in law making, then, it would behove us to say that citizens do not have the right to undermine the integrity of the law through actions such as rallies and demonstrations. This is because it is reasonable to require that people be bound by laws that they have made either directly or indirectly. In this sense, protests can be viewed as immoral. Nevertheless, when citizens revolt, it appears clear that something injurious and inimical to societal progress is always involved. It is on record that most fundamental acts of revolt in the world initiated on account of citizenship concerns show that citizens are and have been sidelined in the process of making laws. Thus the idea of legal equality is fraught with obscurities.

As Lucas (1976) pointed out, it is one thing to have equal access to the law, and another to be treated equally by the law. Even when it is claimed that we all have equal access to the law, which is not true anyway, the fundamental point is that citizens will never be treated equally before the law. This observation is important because law, even though often regarded as presenting a blind approach to issues, is actually a store house of certain preferences in the community. For example, a man who steals \$50,000 is jailed for 6 months, whereas another who steals \$50 million is jailed for 2 years. While it is true that both have been punished according to the law, it is evident that sound justice, an important principle in the expression of equality, has not been administered. Thus while the law may indeed punish offenders, it may not punish them according to deserts and what is just. This is why law may not entirely be seen as a neutral institution.

A Marxist is bound to have problems with the view that law is an instrument of equality. This is because according to Marxism, law is an instrument of the ruling class, especially laws prohibiting violence and theft. For the Marxist, the reason why laws against theft are made is not because members of the ruling class see theft as intrinsically immoral, but because it safeguards their hold on property. Furthermore, judges who adjudicate on such matters, whose philosophy of life is determined by the prevailing social consciousness, will seek to

protect the said social consciousness by all means. The fraternalising philosophy turns out to be an ideology of legitimation - an attempt to sustain the status quo. Laski (1938) was apt in his recognition of this pertinent possibility when he remarked that “our judges are recruited from the ranks of successful lawyers, and, overwhelmingly, our system makes the successful lawyers a man who has spent the major part of his life in serving the interests of property.” While Marxist jurisprudence is open to criticism, it is difficult to gainsay the fact that law is not an innocent aspect of human society. Why must law, for instance, be the very instrument for the achievement of equality? My view is that it is often so because those who make law know the advantages it yields to them in the protection of their own selfish interests.

Besides, to a feminist, law is a masculine institution which promotes patriarchy in human society. The state itself, for feminists, is a masculine institution. How, then, can law be an instrument for promoting equality when it is clear that certain preferences and interests are embedded in the nature of law? As a matter of fact, there is still an ongoing dispute between naturalists and positivists over the exact nature of law, and it is clear that the conception of equality that is bound to be ferreted out of both conceptions of law will be utterly different.

Political Equality

The notion of political equality is also vague, yet its main expression is contained in the popular ideology of free citizen participation in politics. The contradiction is immediately clear when we attempt to juxtapose the meaning of politics with the idea of political equality. While politics itself is an exclusivist activity since it deals with influencing, manipulating or controlling major groups so as to advance the purpose of some against the opposition of others, political equality, as expressible through political participation of all, is meant to connote a benign and convenient platform on which every citizen has a stake.

According to Appadorai (1968, 88), political equality connotes the “conferment on all adult citizens of the right to vote and its corollaries, the right to stand as a candidate for election and equal eligibility for administrative and judicial post provided the necessary technical qualifications are fulfilled.” However, there are many conventions, beliefs and practices in many societies that indicate that political equality is mere rhetoric. For instance, in many societies, the idea of gender equality is still not acceptable. Even in those countries where women are very active in politics, it still has not settled the lingering question over whether both men and women are equal. This unsettled nature is of course likely to have an impact on our conception of political equality.

Moreover, the kind of technical qualifications that are placed on participation can be so crippling that one wonders whether they are not actually intended to disqualify large segments of society in the first instance. The way political decisions are made is contrary to Robert Dahl's definition of political equality as giving equal considerations to the good or interests of each person (Dahl 1996, 639). Political decisions are made by certain individuals, and they are meant to be binding on the citizens whether they so wish or not. The Pension Act in Nigeria, for instance, was passed by the political class without the involvement of the citizenry, despite its strangulating impact. The same is true of the Privatization Act.

Just recently, the National Assembly of Nigeria passed into law what it called the Electoral Act, which makes it illegal to remove a candidate from office who has already been sworn in, regardless of whether or not he or she won the election fraudulently. All these examples suggest that there is no political equality. Those who have power use it to create privileges for themselves. Street naming in major cities is done to honour those who are unduly privileged in society. Such ascriptions are defended by allusions to meritorious services done to the country, but it is apparent that social institutions are structured to favour some and to exclude others. In what then does political equality consist, except in mere use of words? In fact, the absence of true justice in the world shows that political equality is a ruse. The connection between justice and equality is easy to see, but it is evident that the prevailing social consciousness, dictated by political power and economic resources, renders as merely hypothetical the reasoning that all citizens in a political community are equal.

Socio-Economic Equality

The concept of socio-economic equality is another way by which the connection between citizenship and equality can be problematised. However, rather than illuminate our understanding, it further indicates that the idea of citizenship is a threatened concept. This is because citizenship has been unable to mitigate the rising effect of socio-economic inequality in our societies. To advance a theory of economic equality as a possibility in society is to ignore human nature, which is a complex phenomenon. The complexity was ably captured in David Hume's observation that gross differences in human nature hinder economic equality. This is why, if economic equality is defined as equality of opportunity, equality of wealth, equality of the distribution of rights, privileges, benefits and rewards, etc., then such a pursuit is bound to be a wild goose chase. Not even Marx's revolution can usher in such a state without a drastic change in human nature. The impossibility ingrained in this conception of

citizenship is what Bryan Turner (1990, 91) regarded as one of the most obvious shortcomings of T.H. Marshall's analysis of citizenship.⁴ When Marshall defined citizenship as a status conferred by virtue of full membership and went on to divide citizenship into three parts, that division was faulty because it did not take care of the problem of economic inequality (Laski 1962).⁵ For example, countries are not equally endowed: some are very rich, some moderately so, while some are very poor. Even regions and states within some countries are not equally endowed.

In sum, if citizenship is one of the ways by which the ideal of equality is to be realized, it has not been successful; and if equality is one way by which citizenship is to be characterised, such an attempt is a grand failure, since it is clear that equality is non-existent in the world. On both counts, then, it is obvious that citizenship is an endangered concept.

Conclusion

The history of citizenship is almost as old as the history of western philosophy itself; yet its controversial turn emerged within the context of critical discourse on the lingering uncertainty concerning the nature of welfarist policies, rights, the assertive nature of egalitarianism, and the modern renaissance of liberalism. Apart from the fact that the view of the ancient Athenians on citizenship was a response to public practice, Aristotle also put considerable intellectual effort into reflecting on the meaning and limits of citizenship. However, the manner in which the idea of citizenship was viewed in the works of ancient Greek thinkers is different from the way it is seen in our time. It appears that our age, which has given a generous dose of popularity to the concept of citizenship, has also presented several conditions for its demise.

⁴ According to Turner (1990, 191), there exists a contradiction between the extension of franchise which is political equality and the persistence of extensive social and economic inequality grounded, of course, in the reverberating influence of capitalism characterized by the defense of the right to private property.

⁵ Harold Laski (1962) argued that the weakness of T. H. Marshall's analysis on citizenship especially the division of the elements of citizenship into three was principally rooted in the fact that the theory and analysis was founded on the individualism of English liberalism. A major problem with this brand of liberalism is the fact that it failed to address directly the problem of social inequality in relationship to individual freedoms.

The in-built conceptual difficulties generated by the idea of citizenship are enough to create doubt as to whether it will survive in our time. Besides, because citizenship is often tied to the existence of the state, those who have argued against the statist tradition also seem to lend credence to the argument that citizenship is increasingly becoming endangered. What is more, the challenges of multiculturalism and the elusiveness of equality are some of the grounds for the conclusion that citizenship is an endangered concept.

References

- Appadorai, A. 1968. *The Substance of Politics*. New Delhi: Oxford University Press.
- Barker, E. 1961. *Principles of Social and Political Theory*. London: Oxford University Press.
- Barry, B. 1995. *Justice as Impartiality*. Oxford: Clarendon Press.
- Baubock, R. ed. 2006. *Migration and Citizenship: Legal Status, Rights and Political Participation*. Amsterdam: Amsterdam University Press.
- Berki, R.N. 1989. "The Vocabularies of the State". Lassman, Peter ed. *Politics and Social Theory*. New York: Routledge, pp: 12-29.
- Bosanquet, B. 2001. *Philosophical Theory of the State*. Kitchener, Ontario: Batoche Books Ltd.
- Chambers, S. 1998. "Critical Theory and Civil Society". Kymlicka, Will and Simone Chambers eds. *Alternative Conceptions of Civil Society*. Princeton: Princeton University Press, pp:90-111.
- Cole, G.D.H. 1920. *Social Theory*. London: Methuen.
- Dahl, R. 1996. "Equality versus Inequality". *Political Science & Politics*, Vol.29 No.4, pp.639-648.
- Descartes, R. 2008. *Discourse on Method*. Veitch, John Trans. New York: Cosimo, Inc.
- Downing, B.M. 1988. "Constitutionalism, Warfare, and Political Change in Early Modern Europe". *Theory and Society*, Vol.17, pp.1-56.
- Dunleavy, P. and B. O'Leary. 1995. *Theories of the State: The Politics of Liberal Democracy*. Hampshire: Palgrave Macmillan.
- Dyson, K.H.F. 1980. *The State Tradition in Western Europe: A Study of an Idea and Institution*. Oxford: Martin Robertson.
- Ekeh, P. 1975. "Colonialism and the Two Publics in Africa: A Theoretical Statement". *Comparative Studies in Society and History*, Vol.17 No.1, pp.91-112.
- Foucault, M. 1991. "Governmentality". Burchell, Graham, Colin Gordon and Peter Miller eds. *The Foucault Effect: Studies in Governmentality*. Hemel Hemstead: Harvester Wheatsheaf, pp.87-104.

- Fraser, N. and L. Gordon. 1994. "Civil Citizenship against Social Citizenship?" Steenburgen, Bart Van ed. *The Condition of Citizenship*. London: Sage, pp.90-107.
- Gallie, W.B. 1968. *Philosophy and the Historical Understanding*, second edition. New York: Schocken.
- Galston, W. 1991. *Liberal Purposes: Goods, Virtues and Duties in the Liberal State*. Cambridge: Cambridge University Press.
- Gauba, O.P. 2003. *An Introduction to Political Theory*. New Delhi: Macmillan India Ltd.
- Heater, D.B. 1990. *Citizenship: The Civic Ideal in World History, Politics and Education*. London: Longman.
- Hensbroek, P.B. 2007. "The Concept of Citizenship in Political Theory: Reflections on Globalised Applications of the Idea" presentation for the conference: *Citizen in East Asia*, December 14, University of Groningen. <http://www.rug.nl/cds/asiannetworks/paperboele.pdf>
- Hobbes, T. 1991. *Leviathan*. Tuck, R. ed. Cambridge: Cambridge University Press.
- Isin, E. 2002. "Citizenship after Orientalism". Isin, Engin and Bryan Turner eds. *Handbook of Citizenship Studies*. London: Sage, pp.117-130.
- Kymlicka, W. 1995. *Multicultural Citizenship: A Liberal Theory of Minority Rights*. Oxford: Clarendon Press.
- Kymlicka, W. and W. Norman eds. 2000. *Citizenship in Diverse Societies*. Oxford: Oxford University Press.
- Laski, H. 1919. *Authority in the Modern State*. New Haven: Yale University Press.
- . 1938. *Parliamentary Government in England*. Oxford: Clarendon Press.
- . 1962. *The Rise of European Liberalism*. London: Allen and Unwin.
- . 1979. *A Grammar of Politics*. Delhi: S. Chand.
- Lucas, J.R. 1976. *The Principles of Politics*. Oxford: Clarendon Press.
- Lyotard, J.F. 1984. *The Postmodern Condition: A Report on Knowledge*. Bennington, G. and B. Massumi trans. Minneapolis: University of Minnesota Press.
- MacCunn, I. 1894. *Ethics of Citizenship*. Glasgow: J. Maclehose & Sons.
- Macebo, S. 1990. *Liberal Virtues: Citizenship, Virtue and Community in Liberal Constitutionalism*. Oxford: Oxford University Press.
- Mansbridge, J. 2000. "What does a Representation Do? Descriptive Representation in Communicative Settings of Distrusts, Uncrystallized Interests, and Historically Denigrated Status". Kymlicka, W. and W. Norman eds. *Citizenship in Diverse Societies*. Oxford: Oxford University Press, pp.99-123
- Marshall, T.H. 1950. *Citizenship and Social Class*. Cambridge: Cambridge University Press.

- Putnam, R. 1993. *Making Democracy Work: Civic Traditions in Modern Italy*. Princeton: Princeton University Press.
- Quincy, W. 1955. *The Study of International Politics*. New York: Appleton-Century-Crofts.
- Ramaswamy, S. 2003. *Political Theory, Ideas and Concepts*. Delhi: Macmillan India Limited.
- Rees, J. 1971. *Equality*. London: Pall Mall.
- Rose, N. 1999. *Powers of Freedom: Reframing Political Thought*. Cambridge: Cambridge University Press.
- Rousseau, J.J. 1973. *The Social Contract and Discourses*. London: Dent.
- Sartori, G. 1987. *The Theory of Democracy Revisited, Vol. 1, The Contemporary Debate*. Chatham, NJ: Chatham House Publishers.
- Solomon, R. and Kathleen M. Higgins. 1996. *A Short History of Philosophy*. New York: Oxford University Press.
- Taiwo, O. 1996. "Of Citizens and Citizenship". *The Tempo*, Lagos, Sep-Oct.
- Tawney, R.H. 1952. *Equality*. London: Allen and Unwin.
- Turner, B. 1990. "Outline of a Theory of Citizenship". *Sociology*, Vol.24 No.2, pp.189-217.
- Vincent, A. 1987. *Theories of the State*. Oxford: Wiley Blackwell.
- Weiner, M. 1987. "Political Change: Asia, Africa and the Middle East". Weiner, M. and S.P. Huntington eds. *Understanding Political Development*. Boston: Little Brown, pp.33-64.
- White, R. and J. Donoghue. 2002. "Marshall, Mannheim and Modern Citizenship". Refereed paper presented at the jubilee conference of the Australasian Political Studies Association, Australia National University, Canberra.